

Frequently Asked Questions

Data Rights

Who owns the data developed under an SBIR/STTR award?

The SBC awardee owns, and has full right and title to, the data it develops under an SBIR award. For an STTR award, the SBC and research institution must, prior to award, sign an intellectual property agreement identifying the sharing of rights to data.

Will the data I submit be securely protected? If so, for what length of time?

SBIR/STTR Data are protected from disclosure by the participating agencies for a period of not less than 4 years from delivery of the last deliverable under the Phase I, II, or III award. The protection period is extended with each subsequent related award in order to avoid harmful disclosure of SBIR/STTR Data related to on-going federally-funded SBIR/STTR efforts.

What rights, if any, does the Government have in the SBIR/STTR data?

The Government has rights to certain limited use of the data, primarily for evaluation of the results of the award. While some agencies use the data only for evaluation and review purposes, others have interest in accessing the data to explore applications of the research or technology. These rights are stipulated in the [SBIR Policy Directive](#) and the [STTR Policy Directive](#)

What do I do if I feel my firm's SBIR/STTR data are not being adequately protected?

If an awardee feels its SBIR/STTR data is being, or in danger of being, inappropriately revealed or disclosed, the awardee should bring this to the attention of the SBIR/STTR officials of the agency involved and may [contact the SBA](#).

Can I negotiate my SBIR/STTR data rights with the funding agency?

Awardee firms may negotiate with Federal agencies to give the Government additional rights to the SBIR/STTR Data; however, such negotiation must take place only after the award is made. An agency may not make any negotiation of SBIR/STTR data rights a condition for an award.